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June 29, 2023

**VIA ECF**

Hon. Lorna G. Schofield  
Thurgood Marshall United States Courthouse  
40 Foley Square New York  
New York, NY 10007

Re: *N.L. et al v. New York City Dep't of Educ.*, 21-cv-11215 (LGS)(SN)

Dear Judge Schofield:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, et seq. ("IDEA"), as well as for this action.

I write in this remanded appeal (Cir. Docket No. 23-627) on behalf of both parties in accordance with the Court's June 22, 2023 Order (ECF No. 55) to advise the Court of the parties' respective positions following the recent decision by the Second Circuit Court of Appeals in the 16 *in tandem* appeals docketed under *H.C. v. N.Y.C. Dep't of Educ.*, U.S. App. LEXIS 15471 (2d Cir. Jun. 21, 2023). A copy of that decision is attached for the Court's convenience.

The parties respectfully note that this matter has been "remanded for further proceedings in the district court," and that Your Honor is to issue a "final judgment in the remanded appeal." ECF Nos. 53-54. Once that judgment has been entered, either party may seek further appellate review. Plaintiffs have indicated the intention to do so. The parties respectfully submit that reconsideration of the Court's prior judgment is unnecessary.

Thank you for considering this submission.

Respectfully submitted,

/s/

Martha Nimmer

Special Assistant Corporation Counsel

cc: Benjamin Kopp, Esq. (via ECF)